

~~Home~~ (1937) Department.

N18

SERIES.

G.O. No.

4919

DATED

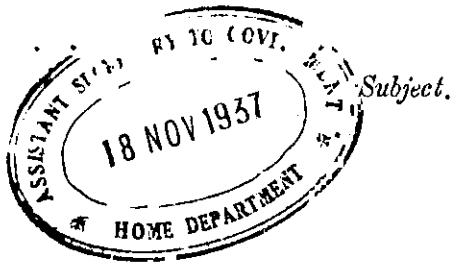
4-12-1937

[Despatch Abstract.]

Court - Civil - Appointment of Additional District Munsif to
be District Munsif's Court, Mangalore - Continuance
pto the end of February 1938 - Sanctioned.

DEPARTMENT.

Received 192 . Registered 192



ENCLOSURES.

No

R.O.C.No. 4630/37-D2.

Spare copies

Station Madras Dated the 15th November 1937. 193--From (Name) D. Appa Rao Esquire, Barrister-at-Law,(Designation) Registrar, High Court, Madras.

To The Secretary to the Government of Madras,

HOME Department.
(with enclosures)

Sir,

Courts - Civil - appointment of Additional
Dt. Munsif - Mangalore - continuance - recommended.
Refce:-G.O.No. Ms. 1317 Home Department dated
30-3-37.

(M)

I am to forward a copy of letter Dis.No.6179
dated 27-10-37 and its enclosures from the District Judge
of South Kanara and to state that the Hon'ble the Judges
recommend the retention of the appointment of Additional
District Munsir, Mangalore, with his establishment till
the end of February 1938.

The appointment of Additional District Munsif,
Mangalore, was recommended last year on the basis of the
pendency in the District Munsif's Courts of Mangalore,
Kasaragod and Karkal on 30-9-1936. The pendency on
that date and that on 15-10-1937 was as follows:--

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Court.	30-9-1936		15-10-1937	
	O.S.	S.C.S.	O.S.	S.C.S.
Dt. Munsif's Court.				
of Mangalore.	524 (269 old)	169 (53 old)	404 (168 old)	241 (49 old)
" Kasaragod.	610 (194 ")	55 (11 ")	678 (240 ")	119 (29 ")
" Karkal.	544 (216 ")	66 (25 ")	561 (246 ")	55 (20 ")

2 On the basis of the standard outturn of 190 original suits after full trial prescribed for the District Munsif, Mangalore, the pendency of 404 O.S. with 168 old suits alone irrespective of subsequent institutions will furnish sufficient work for two officers upto the end of February 1938.

3 I am therefore to request that the Government may be pleased to sanction the retention of the appointment of Additional District Munsif, Mangalore, with his establishment upto the end of February 1938.

4 Necessary provision has been made in the budget estimate of the current year for the retention of the Additional District Munsif, Mangalore, and his establishment.

I have the honour to be,

Sir,

Your most obedient servant,

[Signature]

Registrar.

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MW

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Copy of letter Dis. No. 6179 dated 27-10-37 from the District Judge, South Kanara, at Mangalore, to the Registrar of the High Court of Judicature, Madras.

Subject:--Courts - appointment of Additional District Munsif - Retention or otherwise - Report called for - G.O. No. Mis. 1317 Home Department dated 30-3-37.

Reference:- High Court R.O.C.No. 4630/37 D2 dated 11-10-1937.

With reference to High Court R.O.C.No. 4630/37 D2 dated the 11th October 1937 from the Assistant Registrar, Appellate Side, I have the honour to enclose herein a statement furnishing the information required in the said letter for each of the District Munsif's Courts.

2. It will be seen from the said statements that there are 404 original suits still pending on the file of the Mangalore District Munsif's Court on 15-10-1937 of which 168 suits are over a year old while in Kasargod and Karkal there are 678 and 561 suits of which 240 and 246 are over a year old.

3. Since the date of my last report D.No. 4587 dated 10-8-1937, the total pendency of original suits in Mangalore court has been reduced from 521 to 404 and of old suits from 262 to 168. The two District Munsifs have together thus disposed of 94 old suits in the course of three months from 15-7-1937 to 15-10-1937. Judging from the standard fixed for the two Munsifs, 190 for each, the time necessary to dispose of the 168 old suits and to bring the file to its normal condition will be not less than four months. The Additional Munsif's Court was not functioning from the 3rd to 23rd instant owing to the transfer of Mr. Narasimhulu and the new Munsif took charge only on 23rd instant. I am keeping a keen watch over the work of the two Munsifs and also of the moffussil munsifs, especially Kasargod and Karkal. Considering that there are still 168 old suits to be disposed of in Mangalore Munsif's Court I am of opinion

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that the Additional Munsif's Court will have to be retained at least till the end of February 1938. It will not be advisable to abolish this court when the pendency is still large.

4. The pendency of original suits in Kasargod has only been very slightly reduced since the date of my last report from 711 to 678 while the pendency of old suits has slightly risen from 233 to 240. The pendency of suits in Karkal has risen by three suits and of old suits decreased from 249 to 246. These two courts are also in need of relief. I have brought this to the notice of the High Court in my letter D.No.6174 dated 1-11-1936 wherein I have pointed out the need for an Additional District Munsif at Kasargod and Karkal and also in my letter D.No.4557 dated 11-8-1937. I do not wish to have a number of Additional Munsifs functioning in this district simultaneously and so immediately after the Additional Munsif at Mangalore is abolished he may be asked to function at Kasargod and then at Karkal. I shall write about this in good time.

5. As things stand at present, I request that the High Court may be pleased to recommend to Government for the retention of the Additional Court at Mangalore till the end of February 1938.

District Munsif's Court, Karkal.

Statement showing the institution, disposal and pendency of original and Small Cause Suits
1936 and for 1937 up to 15th October.

		Period presided over.		Original Suits.		Small Cause Suits.														
Year.	Name of the Presiding Officer.	From	To.	Period.	Disposed of.		Still pending.													
					Instituted.	After full trial.	Uncontested.	Total.	Standard fixed.	Total.	Over one year old.	Instituted.	After full trial.	Uncontested.	Total.	Standard fixed.	Total.	Over three months old.		
1936	Mr. B. K. Raghappa.	1-1-36	31-12-36	1	0	0	677	175	492	667	175	498	212	311	52	255	307	Nil.	56	22
1937	Do.	1-1-37	15-10-37	0	9	15	543	130	364	494	Do.	561	246	160	36	128	164	Nil	55	20

District Court, South Kanara,
Mangalore, 22-10-1937.

(Sd) Mr. Amuruddin,
District Judge.

(True copy)

District Muzaffar's Court, KASARAGOD.

Statement showing two institution, disposal and pendency of original and small cases since 1936 and for 1937 up to 15th October.

Year. Name of the pre- siding officer. From	To	Period.	Period provided over.																	
			J. M. D.					After full trial.												
			Instituted.	After full trial.	Uncontested	Total.	Standard fixed.	Total.	Over one year old.	Instituted.	After full trial.	Uncontested.	Total.	Standard fixed.	Total.	Over three months old.				
1936	Mr. P. A. Nazareth.	1-1-36	31-12-36	1	0	0	863	300	587	887	235	605	196	292	49	238	287	Nil.	55	11
1937	Do.	1-1-37	15-10-37	0	9	15	633	187	389	576	49.	678	240	283	47	173	220	Nil.	119	29

After full trial.

Dt. Court, South Kanara,
Mangalore, 22-10-1937.

(Sd) Mir Amuruddin,
District Judge.

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District Munsif's Court, Puttur.

Statement showing the Institution, disposal and pendency of original and Small Cause Suits
1936 and for 1937 up to 15th October.

Year. Name of the Presiding Officer.	From	To	Period.	Period provided over.															
				Original Suits.				Small Cause Suits.											
				Disposed of.		Still pending.		Disposed of.		Still pending.									
				Instituted.	After full trial.	Uncontested.	Total.	Standard fixed.	Total.	Over one year old.	Instituted.	After full trial.	Uncontested.	Total.	Standard fixed.	Total.	Over three months old.		
				After full trial.															
1936	Mr. P. Vyasa Rao.	1-1-36	31-12-36	1--0-0	589	251	367	618	185	318	49	438	105	375	480	N.I.	72	22	
	Do.	1-1-37	23-4-	37	0--3-23	152	85	59	144	329	71	125	23	91	114		87	23	
1937	Mr. B. L. N. Rai.	5-6-37	15-10-37	0-4-	11	228	91	151	242	do.	325	71	167	29	167	196	N.I.	58	11
Total for the Court.				0-8--4	380	176	210	386		325	71	292	52	258	310		58	11	

District Court, South Kanara,
Mangalore, 22-10-1937.

(Sd) Mr. Amruddin,
District Judge.

tv

Mr.

District Munsif's Court, Udipi.

Statement showing the institution, disposal and pendency of original and Small Cause Suits
1936 and for 1937 up to 15th October.

Year. Name of the presiding Officer.	From	To.	Period.	Period provided over.				Original Suits.				Small Cause Suits.			
				Disposed of.				Still pending.				Disposed of.			
				Instituted.	After full trial.	Uncontested.	Total.	Standard fixed.	Total.	Over one year old.	Instituted.	After full trial.	Uncontested.	Total.	Standard fixed.
								After trial.							
1936 Mr. L. C. Colaco.	1-1-36	31-12-36	1 0 0	464	80	424	504	145	318	121	691	56	697	641	Nil.
															123
															38
Mr. A. V. Venkata ramana Aiyar.	15-1-37	14-4-37	0 3 0	218	46	114	160		448	136	105	11	134	145	
															83
" R. M. V. S. Rao.	15-4-37	15-10-37	0 6 1	232	112	263	375	Do.	308	63	336	31	250	281	Nil.
															138
Total for the court.			0 9 1	450	158	377	535		308	63	441	42	384	426	138
															20

District Court, South Kanara,

Mangalore, 22-10-1937.

(Sd) Mr. Amtruddin,

District Judge.

District Munsif's Court, Kundapur.

Statement showing the institution, disposal and pendency of original and Small Cause Suits
1936 and for 1937 up to 15th October.

Year. Name of the pre- siding Officer.	From	To.	Period.	Period provided over.				Original Suits.				Small Cause Suits.						
				Instituted.	After full trial.	Uncontested	Total.	Disposed of.	Still pending.	Over one year old.	Instituted.	After full trial.	Uncontested.	Total.	Standard fixed.	Total.	Over three months old.	
				Y	M	D	After full trial.											
1936 Mr. B. L. N. Rat.	1-1-36	31-12-36	1 0 0	527	234	333	567	225	316	92	748	127	604	731	NIL.	171	106	
Do.	1-1-37	12-5-37	0 4 12	125	36	41	77		377	140	179	40	149	189		163	81	
1937 Mr. P. Vyasa Rao.	5-6-37	10-8-37	0 2 6	114	34	83	117		389	156	183	19	131	150		201	80	
Mr. K. R. Krishnaswamy	20-8-37	15-10-37	0 1 26	90	51	75	126		353	122	110	19	173	192		120	25	
Chetty.																		
Total for the court.			0 8 14	329	121	199	320		353	122	472	78	453	531		120	25	

District Court, South Kanara,

Mangalore, 22-10-1937.

(Sd) Mr. Amraddin,

District Judge.

T.V.
Mly

File of CN^o 20885E, from the High Court No. CN^o 4630/37. D^d 8/5/37

Combi - Civil - App^t of Adde
District Munsif, Mangalore -
continuance. —

A.S.

for 26-27 (M)

In G.O. No. 3174, Home, dated 30.3.37
the Government sanctioned the appointment
of an Additional District Munsif, for
the District Munsif Court ^{with the usual establishment} of Mangalore, with
effect from the date of the reopening of
the Court after the summer recess, i.e.
the commencement of the Christmas holidays
for 1937. The Hon'ble the Judges have
recommended the continuance of the post
with the ~~usual~~ establishment till the end
of February 1938 in view

para 1 of 1st

... on 2nd Nov 1936, when the
High Court first approached Government for
the renewal of the appointment, it recom-
mended that the appointment might be
made for one year with effect from 4.1.37.
But at the instance of the Finance Dept the
appointment was sanctioned with effect from
the date of the reopening of the Court after
the summer recess i.e. the commencement of the

for 9 (M)

for 1st (21)

Christmas holidays 1937.

The following statement shows the institution disposals and pendency in the District Munsif Court Mangalore since 1932:-

year.	Original Suits.			Small Cause Suits.		
	Instr.	Disp.	Pendency	Instr.	Disp.	Pendency
1932	476	474	324	1529	1476	214
1933	504	467	368	1304	1322	205
1934	444	427	367	1221	1186	252
1935	505	443	436	1234	1171	319
1936	460	402	502	872	836	171
1937 (upto 15.12.37)	334	437	404	699	825	241
Full year roughly.	428	552		864	1032	

Old Standard
Outturn for
a single Officer: } 527 orig. inst. 1476

It will be seen from the above statement that calculated on the basis of the figures for 10 1/2 months in 1937 the figures especially on the disposal side under both O.S. & S.C. are favourable, when compared with the figures for 1936, while institutions show a tendency to fall. As regards pendency under both heads, it is stated that the figure 404 O.S. includes 168 old suits while 241 S.C. suits include 49 old suits; and the ~~very~~ ^{very} ~~large~~ ^{large} ~~number~~ ^{number} of old suits under O.S. alone, irrespective of subsequent institutions will

There is a ...

15 CF

2 CF

A. furnish sufficient work for two officers upto the end of February 1938. In the circumstance it is for orders whether the High Comdr's proposal to continue the appointment of the Additional District Munsif Mangalore, with his establishment upto the end of February 1938 may be accepted. The remarks of the Finance Dept may be invited also.

Home 208852-1
26.11.37

ls.
21/11
cmv
22/11

POB
21/11

S

H. G.
26/11

for

Finance (C2)

See A above

Submitted that the proposal of Home to sanction the retention till the end of February '38 of the additional District Munsif Mangalore with his establishment may be accepted and the case removed to Home.



nae
27.11.37

15/28.11.37

Home

Home Dept E

for no 36720
29.11.37

A.S.

A. A. Gupta order is submitted for

affixal.
ls.
1-12-37

POB
1/12
S

PH
1/12

SUBJECT:— Home Dept.

When despatched,

Comt Cive. Appointment
of Adde District Munsif to the
Dist Munsifs' Comt. Mangalore-
continuance upto the end of Feby 1938.
Sanctioned.

(M) READ AGAIN 90. 1317, dated Sanctified. 30. 3. 1937

READ ALSO:—

READ ALSO :-
M1-2CF No. 20885 From the Hgh Comd. Proc. No. 4630/37 dated 10-11-1937.

19

19

Order Ms. No. 4919, dated 4 - 12 - 1937.
Resolution Rout.

Dpd. by Francis A. Farrell
 Date 6/12 1937

..... The Government sanction the continuance of the appointment of Additional District Munsif Mangalore, with his establishment, sanctioned in the G.O. cited above, till the end of February 1938.

2. The notification
appended to this order will be
published in the Fort St. George

Guardia:—

The Noble the C.V.

The D. T. S. Yankee

The A. G. Wm. F. Wm.

The Finance Dept

The Rubber (Pen) is

The S. y. p. for the

[Appendix]

P.T.O.

Notifications.

I

Under Section 4 of the Madras Civil Courts Act, 1873. (III of 1873) as amended by Act III of 1925, the Government of Madras, after consultation with the High Court, are pleased to direct that from the end of February 1938, the number of District Munsifs to be appointed to the District Munsifs' Court, Mangalore in the District of South Kanara shall be two.

vide G.O. no (K)

II

In exercise of the powers conferred by paragraph (b) of Subsection (1) and (2) of Section 241 of the Government of India Act, 1935, H. E. the Governor is hereby pleased to make the following special rules.

Followed since then

Rules.

The cadre of the Madras Civil Service (Judicial Branch)

shall be increased temporarily by the post specified in the first column of the table below for the period specified in the corresponding entry in the second column thereof: -

Table

Post.

Period.

Category II

Additional District Munsif
Mangalore.

from 20/12/37

For the period commencing from the date of commencement of the Christmas holidays in 1937 till the end of February 1938.

2 The General and Special rules applicable to holders of permanent posts borne on the said cadre shall apply to the holder of the said temporary post.

Explanation

In this rule the expression 'the holder of the said temporary post' shall mean the person counted against the temporary post.

ES.

1/12. 1112

[Signature]